



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/045,385	03/20/98	MATSUSHIMA	Y 48240

MM61/0120
DIKE BRONSTEIN ROBERTS & CUSHMAN
130 WATER STREET
BOSTON MA 02109

EXAMINER
HOLLINGSHEAD, R

ART UNIT PAPER NUMBER
2871

DATE MAILED: 01/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/045,385

Applicant(s)
Matsushima et al

Examiner
Robert J. Hollingshead

Group Art Unit
2871



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2871

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuyama et al (PN 5,831,701). In columns 8-12 and Figures 1A, 1B, 2C, and 10, Matsuyama et al disclose a liquid crystal display with substrates (1) and (1'); liquid crystal disposed between the substrates; pixel electrodes (11); horizontal and vertical peripheral driving circuits mounted on the substrates (see also column 13, lines 20-25); TFT switching elements; RGB color filters; and a black mask light shielding layer (17) around the periphery of the display region and shielding the switching elements. Accordingly, claims 1-9 are anticipated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama et al (PN 5,831,701) in view of what is conventional in the art.

The method recited in claims 10-17 of forming the device of claims 1-9 is inherent in the device. The method steps recited by Applicant are used conventionally in the art to form all liquid crystal displays. Accordingly, claims 10-17 are unpatentable.


Conclusion

Kim (PN 5,760,861) and Masaki et al (PN 5,757,452) teach using a black matrix substantially covering the periphery of the substrate. Kim and Masaki et al were not applied against Applicant's claims because Matsuyama et al was a good reference.

Any inquiry concerning this communication should be directed to Bob Hollingshead at (703) 306-3442.

R. Hollingshead

January 8, 1999


WILLIAM L. SIKES
SUPERVISORY PATENT EXAMINER
GROUP 2500